

REMARKS

At the time of the Final Office Action dated April 27, 2009, claims 1-4 and 6-17 were pending in this application. Claim 5 has been cancelled.

Independent Claim 1 has been amended to overcome the rejections based on 35 U.S.C. § 101. Independent Claim 8 has been amended to comply with In re Bilski, 545 F.3d 943 (Fed. Cir. 2008) (en banc).

CLAIMS 1-4 AND 6- ARE REJECTED UNDER 35 U.S.C. § 101

On page 2 of the Final Office Action, the Examiner asserted that the claimed invention, as recited in claims 1-4 and 6-7, fails to meet the requirements of 35 U.S.C. § 101. This rejection is respectfully traversed.

Although Applicants disagree with the Examiner's implied assertion that independent claim 1 is not directed to statutory subject matter, independent claim 1 has been amended to recite that the policy manager is executing in memory by a processor of a general purpose computing system and further that the policy manager comprises a set of computer program instructions that when executed by the processor process a policy set forth in a policy document and process a request for a Web conferencing. As such, at the very least, independent claim 1 is tied to a machine and meets the 'machine or transformation' test described within In re Bilski, 545 F.3d 943 (Fed. Cir. 2008) (en banc).

Applicants have amended claims 1 and 8 to incorporate that the policy manager is executing in memory by a processor of a general purpose computing system and that the policy manager comprises a set of computer program instructions that are executed by the processor. In that the executing in memory by a processor of a general purpose computing system and that the policy manager comprises a set of computer program instructions that are executed by the processor are directly supported by paragraphs [0029] and [0030] of Applicant's specification, no new matter has been added. Additionally, as Applicant's amendments are directed strictly to the rejections under 35 U.S.C. § 101 and clearly dispense with those issues directly relating to 35 U.S.C. § 101, Applicant's amendments necessarily reduce the number of issues remaining for appeal. As set forth in M.P.E.P. 714.12,

Once a final rejection that is not premature has been entered in an application, applicant or patent owner no longer has any right to unrestricted further prosecution. This does not mean that no further amendment or argument will be considered. **Any amendment that will place the application either in condition for allowance or in better form for appeal may be entered. Also, amendments filed after a final rejection, but before or on the date of filing an appeal, complying with objections or requirements as to form are to be permitted after final action in accordance with 37 CFR 1.116(b).**

Accordingly, Applicant respectfully requests entry of the amended claims 1 and 8 under M.P.E.P. 714.12.

For the reasons submitted above, Applicants respectfully solicit withdrawal of the imposed rejection of claims 1-4 and 6-7 under 35 U.S.C. § 101.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500563, and please credit any excess fees to such deposit account.

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Respectfully submitted,

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